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OFFICE OF PETITIONS

In re Application of :
Mangalvedhekar :
Application No. 10/085,218 : **DECISION ON PETITION**
Filed: February 27, 2002 :
Attorney Docket No. 075635.0104 :

This is a decision on the petition, filed January 22, 2009, under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to timely file an Appeal Brief after a Notice of Appeal was filed on March 27, 2008. Applicant filed a Notice of Appeal and a Pre-Appeal Brief Request for Review on March 27, 2008.

Per 1296 O.G. 67 (July 12, 2005): The time period for filing an appeal brief will be reset to be one month from mailing of the decision on the request, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater.

Applicant's representative is a participant in the Office's E-Notification program, wherein applicant's representative receives a once daily e-mail notification of all applications in which outgoing Office correspondence has been issued. Applicant's representative asserts that he did not receive notification regarding the April 9, 2008 Notice of Panel Decision from Pre-Appeal Brief Review. Therefore, petitioner argues the application is not abandoned.

A review of the official record indicates that e-mail notification of the April 9, 2008 Notice of Panel Decision from Pre-Appeal Brief Review was not sent.

In view of the above, the petition under 37 CFR 1.181 is **granted** and the holding of abandonment is withdrawn.

No petition fee has been or will be charged in connection with this matter.

This application is being referred to the Technology Center AU 2442's technical support staff for re-mailing the April 9, 2008 Notice of Panel Decision from Pre-Appeal Brief Review. The period for filing a proper Appeal Brief will be reset to be one month from the re-mailing of the April 9, 2008 Notice of Panel Decision from Pre-Appeal Brief Review.

Telephone inquiries pertaining to this decision may be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, reading "Shirene Willis Brantley". The signature is written in a cursive, flowing style.

Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions